

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27<sup>TH</sup> SESSION:  
COUNCIL - PART II**

***Informal Working Group - Environment***

Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete and send to [council2022@isa.org.jm](mailto:council2022@isa.org.jm).

**1. Name(s) of Delegation(s) making the proposal:**

SPAIN

**2. Please indicate the relevant provision to which the textual proposal refers.**

Regulation 2

**3. Kindly provide the proposed amendments to the regulation or standard or guideline in the text box below, using the “track changes” function in Microsoft Word. Please only reproduce the parts of the text that are being amended or deleted.**

1. These regulations, and any decision-making thereunder, shall be applied in conformity with the principles governing the Area embodied in Section 2 of the Part XI of the Convention.

2. In particular, the exploitation activities in the Area shall be carried out for the benefit of mankind as a whole, **taking into particular consideration the interests and needs of developing States**, for peaceful purposes and ensuring the effective protection of marine environment, **including biological diversity and ecological integrity**.

3. Pursuant to article 145 of the Convention, the effective protection of the marine environment from the harmful effects which may arise from activities of exploitation, in accordance with the Authority’s environmental policy, including regional environmental management plans, is based inter alia on the following principles and approaches:

- (i) **The application of the principle of intergenerational equity.**
- (ii) The application of the precautionary approach.
- (iii) The application of an ecosystem approach.
- (iv) The application of “the polluter pays” principle through market-based instruments, mechanisms and other relevant measures.
- (v) Access to data and information relating to the protection and preservation of the Marine Environment.
- (vi) Accountability and transparency in decision-making; and
- (vii) Encouragement of effective public participation.

4. These regulations shall be also applied in conformity with the policies relating to activities in the Area established in article 150 of the Convention and the principles contained in sections 2, 5, 6, 7 and 8 of the Annex of the Agreement.

**4. Please indicate the rationale for the proposal. [150 word limit]**

*We do not see the need to compile and list all the principles and policies applicable to the exploitation regime, which are already included in the Convention and in the Annex to the Agreement. We propose to simplify the article mentioning only environmental principles or approaches that were not included in Part XI. A new drafting is in blue and a new principle regarding the last version of the proposal is in red.*

## ITEM 11. WORKING GROUP ON INSTITUTIONAL MATTERS

### Proposal of the Delegation of Spain

#### Regulation 2 alt (New version in blue)

#### Fundamental Principles, [Approaches] and Policies

1. These regulations, and any decision-making thereunder, shall be applied in conformity with the principles governing the Area embodied in Section 2 of the Part XI of the Convention.
2. In particular, the exploitation activities in the Area shall be carried out for the benefit of mankind as a whole, **taking into particular consideration the interests and needs of developing States**, for peaceful purposes and ensuring the effective protection of marine environment, **including biological diversity and ecological integrity**.
3. Pursuant to article 145 of the Convention, the effective protection of the marine environment from the harmful effects which may arise from activities of exploitation, in accordance with the Authority's environmental policy, including regional environmental management plans, is based *inter alia* on the following principles:
  - (i) The application of the precautionary approach;
  - (ii) The application of an ecosystem approach;
  - (iii) The application of "the polluter pays" principle through market-based instruments, mechanisms and other relevant measures;
- (i) Access to data and information relating to the protection and preservation of the Marine Environment.
  - (ii) Accountability and transparency in decision-making; and
  - (iii) Encouragement of effective public participation.
4. These regulations shall be also applied in conformity with the policies relating to activities in the Area established in article 150 of the Convention and the principles contained in sections 2, 5, 6, 7 and 8 of the Annex of the Agreement.